

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

27,866/34810

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/509165

INTERNATIONAL APPLICATION NO.
PCT/US98/20270INTERNATIONAL FILING DATE
28 September 1998PRIORITY DATE CLAIMED
26 September 1997

TITLE OF INVENTION

MACROPHAGE DERIVED CHEMOKINE (MDC), MDC ANALOGS, MDC INHIBITOR SUBSTANCES, AND
USES THEREOF

APPLICANT(S) FOR DO/EO/US

Patrick W. Gray, David H. Chantry, Michael C. Deeley, Carol J. Raport, Ronald Godiska

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Diskette containing Sequence Listing

Statement Regarding Sequence Listing

Copy of Verified Statement Claiming Small Entity Status as filed in parent U.S. Patent Application No. 08/479,603

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) <div style="font-size: 2em; font-weight: bold; text-align: center;">09/50965</div>		INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; text-align: center;">PCT/US98/20270</div>		ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; text-align: center;">27866/34810</div>	
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21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$970.00**

☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$840.00**

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$690.00**

☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$670.00**

☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **\$96.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	26 - 20 =	6	x \$18.00	\$108.00
Independent claims	10 - 3 =	7	x \$78.00	\$546.00
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$1494.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input checked="" type="checkbox"/>				\$747.00
SUBTOTAL =				\$747.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00
TOTAL NATIONAL FEE =				\$747.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00
TOTAL FEES ENCLOSED =				\$747.00
				Amount to be: refunded \$
				charged \$

CALCULATIONS PTO USE ONLY

☒ A check in the amount of **\$747.00** to cover the above fees is enclosed.

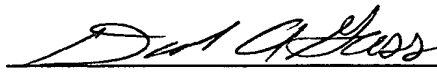
☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **13-2855** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

David A. Gass, Esq.
MARSHALL, O'TOOLE, GERSTEIN
MURRAY & BORUN
 6300 Sears Tower
 233 South Wacker Drive
 Chicago, Illinois 60606-6402
 (312) 474-6300



SIGNATURE

David A. Gass

NAME

38,153

REGISTRATION NUMBER


22 March 2000

DATE

09/509165
430 Rec'd TPTO 22 MAR 2000

PATENT
27866/34810

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (DO/EO/US)

In re Application of: Gray, P., et al.	)	CERTIFICATE OF MAILING BY
	)	EXPRESS MAIL
Serial No.: To Be Determined	)	"EXPRESS MAIL" mailing label
	)	No. EM099780358US
Filed: Herewith	)	Date of Deposit: March 22, 2000
(US National Phase of PCT/US98/20270,)	
Filed 28 September 1998)	)	I hereby certify that this paper and the
	)	documents referred to herein as enclosed
Title: "Macrophage Derived Chemokine	)	herewith are being deposited with the
(MDC), MDC Analogs, MDC Inhibitor	)	United States Postal Service "EXPRESS
Substances, and Uses Thereof"	)	MAIL POST OFFICE TO ADDRESSEE"
	)	service under 37 C.F.R. §1.10 on the date
PCT Priority Dates: 26 September 1997	)	indicated above and are addressed to Box
28 April 1998	)	PCT, Assistant Commissioner for Patents,
	)	Washington, D.C. 20231.
Group Art Unit: To Be Determined)	
)	
Examiner: To Be Determined)	
	)	Richard Zimmermann

STATEMENT PURSUANT TO 37 C.F.R. § 1.821(f)

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

I hereby state that the content of the paper form of the Sequence Listing as originally filed and computer readable form of the sequence listing that is part of the above-identified application and that is filed herewith are the same.

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300

Dated: March 22, 2000

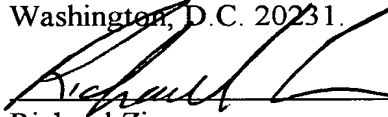
By:



David A. Gass, Reg. No: 38,153

PATENT
27866/34810

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (DO/EO/US)

In re Application of: Gray, P., et al.)	CERTIFICATE OF MAILING BY
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28 April 1998)	PCT, Assistant Commissioner for Patents,
Group Art Unit: To Be Determined)	Washington, D.C. 20231.
)	
Examiner: To Be Determined)	Richard Zimmermann

CERTIFICATION UNDER 37 CFR 1.10

BOX PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby certify that the items listed below are being deposited with the United States Postal service on March 6, 2000 in an envelope addressed to Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office Addressee" service of the United States Postal Service Mailing Label EM099780358US.

- a. Transmittal letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 37 U.S.C. 371;
- b. Copy of published PCT pamphlet (WO 99/15666)
- c. A copy of the International Search Report (PCT/ISA/210);
- d. A copy of the International Preliminary Examination Report (Form PCT/IPEA/409);

- e. Preliminary Amendment A;
- f. Diskette containing sequence listing;
- g. Statement Regarding Sequence Listing;
- h. Copy of Verified Statement Claiming Small Entity Status as filed in pending U.S. Patent Application No. 08/479,603; and
- i. A check in the amount of \$747.00.

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402



David A. Gass
Reg. No. 38,153

March 22, 2000